

REMARKS

Claims 22-31 are currently pending in the present application, with Claims 23, 24, 27, 28, 30, and 31 being allowed. Reconsideration and reexamination of the rejected claims are respectfully requested.

The Examiner rejected Claims 22, 25, and 29 under 35 U.S.C. § 103(a) as being anticipated by Auerbach (U.S. patent no. 5,355,371) in view of Applicants' admitted prior art. This rejection is respectfully traversed.

As previously communicated, the present invention as currently claimed is directed to a system and method of synchronizing sampling clocks between a plurality of nodes within a group of nodes, within a communication system having a plurality of groups of nodes. As recited in the claims, a node of each group is set as a master clock node, which is responsible for transmitting synchronization packets that include group ID information. Nodes in a given group selectively receives the synchronization packet that are identified as belonging to the same group as the receiving node, which then uses the information contained in the packet to synchronize its sampling clock. Since the sampling clocks of the plurality of nodes of the group can synchronize with the sampling clock of the master clock node, accurate audio data transmission can be achieved between these nodes on the basis of the synchronized sampling clocks. The present invention in this respect is extremely novel in that it allows a plurality of sampling clock synchronization to be achieved in parallel by a plurality of groups in a single network.

As the Examiner acknowledged in the Detailed Action, the admitted prior art does not disclose or suggest a system having grouping section for grouping a plurality of nodes into groups (likewise, there is no suggestion for performing such a step). It follows that the admitted prior art

also does not contain any disclosure of a clock master node in each of the separated groups, wherein the clock master node sends a synchronization signal packet to members of the group; in this respect, Applicants respectfully disagree with the Examiner's observation on page 2 of the Detailed Action.

Applicants submit that the admitted prior art discloses nothing more than a network of musical devices (or nodes) in which a master device (or master node) may synchronize the rest of the devices (or nodes). There is simply no mentioning of multiple synchronization of the sampling clock in the communication network system by grouping of the devices or the nodes.

Auerbach fails to make up for the deficiencies of the admitted prior art. Specifically, as previously communicated, Auerbach does not contain any disclosure or suggestion of, in a communication system having plural groups of nodes, setting one of the nodes of each group as a clock master node, which sends out synchronization packets containing information that can be selectively received by the members of the respective group to be used for synchronizing their respective sampling clocks. Rather, Auerbach teaches only a method of creating a tree-file data path for purposes of facilitating multicast communication. The Examiner points to col. 3, lines 1-4 of Auerbach as disclosing a grouping section that groups a plurality of nodes into a plurality of groups. Applicants disagree. Col. 3, lines 1-4 of Auerbach discloses only the formation of distribution tree paths within a network, wherein there a node may be designated as the "Tree Leader" for purposes of data distribution. There is no mention of sending a synchronization packet to the communication network for the synchronization of the plural nodes of a group; namely, in the prior art cited, plural synchronization signal packets are sent to the communication network

corresponding to plural groups for multiple synchronization of the sampling clock in the communication network system.

The Examiner further points to col. 6, lines 3-10 as disclosing the distribution of group-specific synchronization packets by clock master nodes of the group. Applicants again respectfully disagree. Col. 6, lines 3-10 of Auerbach is directed to the sending of a "tree request message" by a tree structure, the message including a tree ID, termination points, and the node ID of the Tree Leader. There is no disclosure or suggestion of multiple synchronization. In fact, the concept of synchronization is not mentioned anywhere within Auerbach; this makes sense since, within a data path environment, the audio data are not distributed between a plurality of nodes with respective sampling clocks, and the idea of synchronizing the sampling clocks of the network nodes is simply not feasible. In this regard, Applicants further traverse the Examiner's combination of the admitted prior art and Auerbach. Specifically, not only is there a lack of motivation for combining the admitted prior art and Auerbach, such a combination would not lead to a practical system of communication; the Examiner's stated motivation of providing "an improved method for setting up multicast routes and to administer the transmission paths for multicast communications" is not supported or found in col. 2, lines 36-47 of Auerbach (as cited by the Examiner in the Detailed Action). Applicants note that the concept of "time stamping," as referred to by the Examiner, is distinct from the concept of synchronization.

Applicants respectfully submit that neither the admitted prior art nor Auerbach contain any disclosure or suggestion of a system or a method that groups a plurality of nodes into multiple groups of nodes, and then, for each group, designating a clock master node that synchronizes the rest of the nodes within the group via a synchronization packet. Accordingly, Applicants

respectfully submit that Claims 22, 25, and 29 are not anticipated by, or obvious in view of the combination of, the admitted prior art and Auerbach.

In view of the above, Applicant respectfully submits that all of the pending claims are in condition for allowance. In the event the U.S. Patent and Trademark office determines that any additional financial relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 393032028700.

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